

Update on Formaldehyde Regulation - Webinar

International Wood Products Association

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**Lynn Baker
Staff Air Pollution Specialist
Transportation and Toxics Division**

California Air Resources Board

Overview

- Comparison of CARB and U.S. EPA regulations
- Labeling requirements
- Status of CARB enforcement
- Future amendments to CARB regulation
- Questions



Comparison of CARB & U.S. EPA Regulations

- CARB's Composite Wood Products Airborne Toxic Control Measure (ATCM) to reduce public exposure to airborne formaldehyde became effective January 2009
- EPA Toxic Substances Control Act (TSCA) Title VI regulation finalized December 12, 2016
- EPA TSCA Title VI compliance date delayed from December 12, 2017 to December 12, 2018

Comparison

(continued)

- Identical formaldehyde emission standards
- Regulations have same elements, but some differences in specific requirements
 - Where different, the most stringent requirement (regardless of whether EPA or CARB requirement) applies in California
 - Wood-veneered laminated products made by fabricators (have until March 2024 to comply)
 - Duration of recordkeeping requirements (ARB requires 2 years; EPA requires 3 years)
 - Labeling requirements

Labeling Requirements

- CARB & EPA regulations require labeling of panels and finished goods
- Panels
 - Manufacturer name
 - Product lot or batch number
 - Compliance level (i.e., Phase 2/TSCA Title VI; option to label as made with NAF/ULEF resin)
 - TPC number
- Finished goods
 - Fabricator name
 - Production date
 - Compliance level (i.e., Phase 2/TSCA Title VI; option to label as made with NAF/ULEF products, or combination of TSCA Title VI and NAF/ULEF products)

Labeling Requirements

(continued)

- CARB will accept EPA TSCA Title VI labeled panels and finished goods
 - Third party certifiers must first be recognized by EPA and panels producers must sell TSCA compliant products to fabricators for use in finished goods
- Finished goods containing less than 144 square inches of composite wood material are exempt from EPA labeling
 - not exempt from CARB labeling requirement



Labeling Requirements

(continued)

- CARB will also accept TSCA Title VI statement of compliance on bill of lading or invoice
- Labels for finished goods should not include third party certifier (TPC) number
 - Misleads customers that TPC verified emissions of finished good
 - Only panels are required to be TPC verified



Status of CARB Enforcement

- Inspections conducted at panel retailers, distributors, & retailers of finished goods
- Products inspected for compliance with labeling requirements
- Documentation reviewed regarding statement of compliance
- Samples collected for emissions testing
- CARB has settled cases against four flooring companies for selling noncompliant flooring (labeled Phase 2 compliant)
- CARB continuing to investigate other businesses

Future Amendments to CARB Regulation

- CARB staff expects to amend regulation to clarify requirements and align with EPA regulation, where appropriate
- Goal to improve clarity, enforceability, and to better ensure compliance of imported products
- CARB public workshop on proposed amendments
 - Timeframe: 2018 or 2019

Questions

- Lynn Baker, Staff Air Pollution Specialist
(916) 324-6997 or lynn.baker@arb.ca.gov
- Composite Wood Products ATCM website:
<http://www.arb.ca.gov/toxics/compwood/compwood.htm>

